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November 26, 2024

VIA ECF

Hon. Jessica G.L. Clarke
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007

Re: **Cruz Rosales, et al. v. BKLYN Local Draft LLC, et al.**
Case No. 24-CV-5572 (JGLC)

Dear Judge Clarke:

This firm represents defendants BKLYN Local Draft LLC, Billy Waite, and Juan Gomez (collectively “Defendants”) in connection with the above-referenced action. I write to respectfully request: (1) an extension of the Defendants’ time to respond to the Plaintiffs’ amended complaint; and (2) a further adjournment of the initial conference currently scheduled for January 28, 2025.

On November 8, 2024, Plaintiffs filed an amended complaint (Dkt. No. 31) in response to Defendants’ previously-filed motion to dismiss (Dkt. No. 24). Thus, per Your Honor’s Individual Rules and Practices, the time for Defendants to answer or renew their motion to dismiss with respect to the amended complaint expires on November 29, 2024. Counsel for the parties are currently focusing all of their efforts on preparing for the settlement conference to be held before Magistrate Judge Moses. Toward that end, on November 19th Defendants produced nearly 3,000 pages of employment records for the three Plaintiffs. Because Plaintiffs’ counsel understandably requires additional time to review and analyze this extensive document production, the parties are currently in the process of rescheduling the December 9, 2024 settlement conference before Magistrate Judge Moses to a date between January 30, 2025 and February 13, 2025.

As stated above, at this time counsel for the parties would like to focus all of their efforts on the sharing of documents and information, review and analysis of records, and settlement-

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related discussions in advance of the settlement conference before Magistrate Judge Moses, which will not take place in early February 2025. Accordingly, Defendants respectfully request that the deadline to respond to the Plaintiffs' amended complaint be extended to March 1, 2025, following the anticipated date of the rescheduled settlement conference. Plaintiffs' counsel consents to this request. Defendants also respectfully request that the initial conference currently scheduled for January 28, 2025 be rescheduled as well for a date in late February 2025 following the anticipated date of the rescheduled settlement conference. I would like to advise the Court that I will be away on vacation from March 6, 2025 through March 14, 2025. Plaintiffs' counsel also consents to this request.

This is Defendants' first request for an extension of time to respond to the Plaintiffs' amended complaint. This is the parties' second request for an adjournment of the initial conference in light of the settlement conference before Magistrate Judge Moses. Your Honor granted the parties' previous request to adjourn the initial conference to a date after the settlement conference. The parties' next scheduled appearance before the Court is the settlement conference before Magistrate Judge Moses, which at this time is still currently scheduled for December 9, 2024, although the parties expect that this conference will be rescheduled shortly, as discussed above. The next scheduled appearance after that is the initial conference currently scheduled for January 28, 2025.

I thank the Court for its time and attention to this matter.

Respectfully Submitted,

/s/Nils C. Shillito

Nils C. Shillito (NS-6755)

cc: Katherine Morales, Esq. (via ecf)

Application GRANTED. Defendants' deadline to respond to Plaintiffs' amended complaint is HEREBY EXTENDED to March 1, 2025. IT IS HEREBY ORDERED that the conference in this matter, previously scheduled for January 28, 2025 at 11:00 am is RESCHEDULED for February 25, 2025 at 12:00 pm. The conference will be held remotely via Microsoft Teams. The Clerk of Court is respectfully directed to terminate ECF No. 33.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: December 3, 2024
New York, New York